

A Funding Agreement Between the State of Nevada
Acting By and Through Its Division of State Lands and the
Conservation and Resource Protection Grant Program
(Grantor)

901 S. Stewart St., Suite 5003, Carson City, NV 89701

phone: (775) 684-2720

fax: (775) 684-2721

And

City of Las Vegas
(Grantee)

731 S. Fourth Street, Las Vegas, NV 89101

phone: (702) 229-2127

fax: (702) 474-7461

FOR THE PURPOSES OF constructing a recreational trail and associated infrastructure improvements along the Las Vegas Wash;

WHEREAS, at the general election on November 5, 2002 Nevada's voters approved a conservation initiative generated by Assembly Bill 9, Statutes of Nevada, 17th Special Session of the 2001 Nevada State Legislature, Chapter 6, referred to as Question 1, and authorized the issuance of general obligation bonds in the face amount of \$200,000,000 to carry out this program; and

WHEREAS, the Nevada legislature authorized the State Land Registrar to establish a conservation and resource protection grant program and administer the issuance of general obligation bonds in the face amount of \$65,500,000; and

WHEREAS, \$7,250,000 of the above \$65,500,000 is allocated to state agencies, counties, municipalities, and nonprofit organizations for the construction of Recreational Trails;

WHEREAS, the State Land Registrar has determined this project is both necessary and in the best interests of the State of Nevada;

NOW, THEREFORE, in consideration of the aforesaid premises, the parties mutually agree as follows:

FUNDING AGREEMENT AND MODIFICATION. The Nevada Division of State Lands (NDSL) Question 1 Funding Agreement, Las Vegas Wash Recreational Trail & Infrastructure Improvements CL-RT-06023, is hereby amended to include the following revisions to the project Budget and term date:

FUNDING AGREEMENT TERM. The Funding Agreement Term Ending Date shall be extended from December 31, 2010 to December 31, 2011.


ATTACHMENT D
Original Project Budget

Project Name: Las Vegas Wash Recreational Trail and Infrastructure Improvements
 Project Number CL-RT-06023

Las Vegas Wash Infrastructure Improvements

Question 1 Project Budget

Project Task/Item	Funding Source				Subtotal
	Question 1 Request	Match, Cash	Match, Inkind	Other Non-Qualifying Costs	
Trail Construction		\$11,470,000.00			\$11,470,000.00
<i>Trail Infrastructure Improvements, Purchase and Install:</i>					
Shade Structures, 7	\$358,300.00				\$358,300.00
Picnic Tables, 10	\$33,000.00				\$33,000.00
Benches, 27	\$67,500.00				\$67,500.00
Drinking Fountains, 5, incl Connection Fees	\$25,000.00				\$25,000.00
Main Waterline Connection Fees	\$133,400.00				\$133,400.00
Bike Racks, 7	\$9,800.00				\$9,800.00
Trash Receptacles, 12	\$30,000.00				\$30,000.00
Contingency, 10%	\$73,000.00				\$73,000.00
Subtotal	\$730,000.00	\$11,470,000.00	\$0.00	\$0.00	\$12,200,000.00
Total Project Cost					\$12,200,000.00
Total Qualifying Project Cost					\$12,200,000.00


Percent of Total, Qualifying Costs 5.983606557 94.01639344 0
 Total Match Percentage 94.01639344
 Percentage Total (100?) 100
 Total Match \$11,470,000.00
Total Q1 Request \$730,000.00
Total Qualifying Project Cost  **\$12,200,000.00**

Amended Project Budget
 All Changes Highlighted Light Green

Las Vegas Wash Infrastructure Improvements Project # CL-RT-06023

Question 1 Project Budget

Project Task/Item	Funding Source				Subtotal
	Question 1 Request	Match, Cash	Match, Inkind	Other Non-Qualifying Costs	
Trail Construction		\$2,732,729.00		\$1,139,473.00	\$3,872,202.00
<i>Trail Infrastructure Improvements, Purchase and Install:</i>					
Shade Structures, 3	\$91,011.00				\$91,011.00
Picnic Tables, 10	\$8,915.00				\$8,915.00
Benches, 30	\$24,054.00				\$24,054.00
Drinking Fountains, 6, incl Connection Fees	\$20,598.00				\$20,598.00
Main Waterline Connection Fees	\$121,624.00				\$121,624.00
Bike Racks, 5	\$3,804.00				\$3,804.00
Trash Receptacles, 11	\$5,855.00				\$5,855.00
Contingency, 10%	\$27,586.00				\$27,586.00
Subtotal	\$303,447.00	\$2,732,729.00	\$0.00	\$1,139,473.00	\$4,175,649.00
Total Project Cost					\$4,175,649.00
Total Qualifying Project Cost					\$3,036,176.00

Percent of Total, Qualifying Costs 9.99438109 90.00561891 0
 Total Match Percentage 90.00561891
 Percentage Total (100?) 100
 Total Match \$2,732,729.00
Total Q1 Request \$303,447.00
Total Qualifying Project Cost  **\$3,036,176.00**

Amended Q1 Awarded Budget Table:

- Shade Structures, 7 shall be changed to **Shade Structures, 3** and the award amount shall be decreased by \$267,289.00 to **\$91,011.00**
- Picnic Tables, 10 the award amount shall be decreased by \$24,085.00 to **\$8,915.00**
- Benches, 27 shall be changed to **Benches, 30** and the award amount shall be decreased by \$43,446.00 to **\$24,054.00**.
- Drinking Fountains, 5, incl Connection Fees shall be changed to **Drinking Fountains, 6, incl Connection Fees** and the award amount shall be decreased by \$4,402.00 to **\$20,598.00**.
- Main Waterline Connection Fees the award amount shall be decreased by \$11,776.00 to **\$121,624.00**.
- Bike Racks, 7 shall be changed to **Bike Racks, 5** and the award amount shall be decreased by \$5,996.00 to **\$3,804.00**
- Trash Receptacles, 12 shall be changed to **Trash Receptacles, 11** and the award amount shall be decreased by \$24,145.00 to **\$5,855.00**.
- Contingency, 10% the award amount shall be decreased by \$45,414.00 to **27,586.00**.

Amended Applicant Match Budget Table:

- Trail Construction shall be decreased by \$8,737,271.00 to **\$2,732,729.00**

COST: Grantor agrees to provide a maximum of \$303,447.00 or 9.99 percent, of the total project cost (the amount actually expended and necessary for the construction and completion of the described project), contingent upon Grantee's compliance with all of the terms and conditions herein. Grantee is required to provide a minimum of \$2,732,729.00 or 90.01 percent, of the \$3,036,176.00 total project cost as its local share.

This Funding Agreement Amendment constitutes the entire modification and is intended as a complete and exclusive statement of the promises, representations, negotiations, discussions, and other agreements that may have been made in connection with the modification hereof. This first Amendment to the original Funding Agreement shall not be binding upon the parties unless signed by the respective parties hereto.


No amendments or modifications to the Funding Agreement other than those expressed above are intended. All other provisions of the Funding Agreement shall remain binding as originally executed.

IN WITNESS WHEREOF, the parties hereto have caused this Funding Agreement to be signed and intend to be legally bound thereby.


 James R. Lawrence
 Grantor Signature

3/11/11
 Date


Administrator/State Lands Registrar
 Grantor's Title


 Grantee Signature
 OSCAR B. GOODMAN

5/18/11
 Date

Mayor
 Grantee's Title

Attest: By 
 BEVERLY K. BRIDGES, MMC, City Clerk

APPROVED AS TO FORM

 J. Penhals
 Director of Public Works
 4/27/11
 Date
 Chief Deputy City Attorney